

COMPLAINT NO.: _____

DATE RECEIVED: _____

KENTUCKY OCCUPATIONAL THERAPY BOARD Complaint Form

Person Filing Complaint

Name: _____

Address: _____ City: _____ State: _____ Zip Code _____

Day Telephone: (____) _____ Evening Telephone: (____) _____

Patient Information

(if applicable)

Name and description _____

Name of Occupational Therapist or Occupational Therapy Assistant

Name: _____

Address: _____ City: _____ State: _____ Zip Code _____

Day Telephone: (____) _____

Name and phone number of persons who may provide additional information

1. Name _____ Telephone: (____) _____ Type of Information _____

2. Name _____ Telephone: (____) _____ Type of Information _____

3. Name _____ Telephone: (____) _____ Type of Information _____

4. Name _____ Telephone: (____) _____ Type of Information _____

Brief Summary of Complaint

(Please be as specific as possible regarding names, dates, locations, and actions which you believe to be improper, unethical or unprofessional.
Please attach copies of any documents or records pertinent to your complaint.)

Lined area for writing the complaint details.

By signing this complaint form, I hereby certify that the information is complete and true to the best of my knowledge.

Signature: _____ Date: _____

Send to: KENTUCKY OCCUPATIONAL THERAPY BOARD
PO BOX 1360
FRANKFORT KY 40602-1360

Phone: (502) 564-3296
Fax: (502) 564-4818

Kentucky Occupational Therapy Board
PO Box 1360
Frankfort KY 40602

Telephone: (502) 564-3296

FAX: (502) 564-4818

Filing a Complaint

What are your rights?

You have a right to expect a professional standard of care and conduct from a licensed occupational therapist (OTR) or occupational therapy assistant (COTA). If you believe an OTR/COTA has violated Kentucky statutes or regulations, you may send a written complaint to the Kentucky Occupational Therapy Board. As the body responsible for regulating the occupational therapy profession and protecting the public in matters related to occupational therapy, the Board will review your complaint and take appropriate action.

How does the complaint process work?

Complaints that have been received in writing at the Board office will be acknowledged immediately by letter. A copy of your complaint will be sent to the OTR/COTA for a response. The complaint and response will then be reviewed by the Board members at a subsequent meeting. If no law appears to have been violated, you will receive notification from the Board. If the Board believes a law may have been violated, an investigation will take place. If the Board files formal charges against an OTR/COTA as a result of the investigation, an administrative hearing may be held. This formal hearing involves lawyers, a court reporter, a hearing officer and witnesses. If the Board finds that the OTR/COTA has not met the prescribed standard of care and conduct, it has the authority to impose penalties ranging from a reprimand to a suspension or loss of a license. A penalty may be reached by agreement between the Board and the OTR/COTA. The Board does not have the authority to order an OTR/COTA to pay you money damages for any loss you may have experienced. Only a court of law which has jurisdiction over the subject matter of such cases has the authority to award compensation for an injury or loss. To find out more about such remedies, you should consult a private attorney.

What might I expect from filing a complaint?

The complaint process is a detailed and careful one, and you should expect some delay. In every case the OTR/COTA will be informed that a complaint has been filed, provided with a copy of the complaint, the name of the complainant, and the disposition of the complaint. Not every complaint results in disciplinary action by the Board if the OTR/COTA has not violated the laws governing occupational therapy. If charges are filed, a hearing may be held similar to a court trial, and it is open to the public. You may be subpoenaed as a witness to provide testimony regarding the case. In this event the Assistant Attorney General assigned to the Board will assist you in preparing for the hearing. If the Board orders a specific sanction, the OTR/COTA has the right to appeal the decision to a court of law thereby resulting in a delay in the decision becoming final. While you may have an opinion regarding the process and outcome of processing your complaint, please remember that the decisions to dismiss or settle a case or propose disciplinary measures are solely the decision of the Board and may be subject to review by the courts.

If the Board files formal charges or takes formal action against an OTR/COTA, most portions of the investigative file will become "public record" which can be viewed by any individual who requests, in writing to do so. The record may include your written complaint, transcripts, or reports of interviews, letters, and other reports. All testimony and evidence admitted in a formal hearing have the status of public record as well.

Throughout the various stages of the complaint process, you will be kept informed. You will also be advised of the final outcome.

How do I make a complaint?

You should complete the complaint form that accompanies this information sheet and attach copies of any documentation you may wish to provide. Please note that any document furnished will become a part of the record and cannot be returned. Make sure you give all pertinent information. Please sign the complaint form so that the Board may process the form. Complaints and release forms should be mailed to:

**KENTUCKY OCCUPATIONAL THERAPY BOARD
PO BOX 1360
FRANKFORT KY 40602-1360**

**Phone: (502) 564-3296
Fax: (502) 564-4818**